



PTO/SB/21 (04-07)

Approved for use through 09/30/2007. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

17

Application Number

10/648,981

Filing Date

August 26, 2003

First Named Inventor

James A. McClung

Art Unit

3725

Examiner Name

Dmitry Suhol

Attorney Docket Number

291448-00152

**ENCLOSURES (Check all that apply)**

Fee Transmittal Form



Fee Attached



Amendment/Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Certified Copy of Priority Document(s)

Reply to Missing Parts/  
Incomplete ApplicationReply to Missing Parts  
under 37 CFR 1.52 or 1.53

Drawing(s)



Licensing-related Papers



Petition

Petition to Convert to a  
Provisional ApplicationPower of Attorney, Revocation  
Change of Correspondence Address

Terminal Disclaimer



Request for Refund



CD, Number of CD(s) \_\_\_\_\_

☐ Landscape Table on CD

Remarks



After Allowance Communication to TC

Appeal Communication to Board  
of Appeals and InterferencesAppeal Communication to TC  
(Appeal Notice, Brief, Reply Brief)

Proprietary Information



Status Letter

Other Enclosure(s) (please identify  
below):Statement of Originally Named Inventor in Support of  
Petition for Correction of Inventorship of Patent Credit  
Card Payment Form, Assignment, Agreement of  
Assignees in Support of Petition For Correction of  
Inventorship, Statement of Newly-Added Inventors in  
Support of Petition for Correction of Inventorship, Petition  
for Correction of Inventorship of Patent**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name

Eckert Seamans Cherin &amp; Mellott, LLC

Signature

*David P. Maivald*

Printed name

David P. Maivald

Date

August 15, 2007

Reg. No.

42,831

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

*David P. Maivald*

Typed or printed name

David P. Maivald

Date

August 15, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the patent of: )  
)  
James A. McClung )  
)  
Patent No. 7,036,348 )  
Issued: May 2, 2006 )  
Serial No.: 10/648,981 )  
Filed: August 26, 2003 )  
For: Method and Apparatus for Forming )  
Container End Shells with Reinforcing Rib )

**PETITION FOR CORRECTION OF INVENTORSHIP OF US PAT. NO.  
7,036,348 PURSUANT TO 35 U.S.C. §256 AND 37 C.F.R. §1.324**

Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

Dear Sir:

The Office is hereby requested and petitioned to correct inventorship of U.S. Pat. No. 7,036,348 (hereafter the '348 patent) pursuant to 35 U.S.C. §256 and 37 C.F.R. §1.324. This petition is being filed on behalf of the originally named inventor (James A. McClung), the inventors to be added, and the respective assignees.

Specifically, correction of inventorship of the '348 patent is requested to add the following inventors:

- 1) Timothy L. Turner, a citizen of the United States and a resident of 2771 Suncoast Lakes Blvd., Port Charlotte, Florida 33980.
- 2) Gopalaswamy Rajesh, a citizen of India and a resident of 11932 Thornbury View, Alpharetta, Georgia 30005.

08/17/2007 RFEKADU1 00000022 7036348

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130.00 OP

3) Michael R. Gogola, a citizen of the United States and a resident of 2342 S. Goebbert Rd., Apt. # 2080, Arlington Heights, Illinois 60005.

The inventorship error of failing to include Timothy L. Turner, Gopalaswamy Rajesh, and Michael R. Gogola occurred without any deceptive intention on their part. Attached to this request are statements from Mssrs. Turner, Rajesh and Gogola attesting to the lack of deceptive intent, as required by 37 C.F.R. §1.324(b)(1).

This petition is also accompanied by a statement from the currently named inventor James A. McClung stating that he has no disagreement with the requested change of inventorship, as required by 37 C.F.R. §1.324(b)(2).

This petition is also accompanied by a statement from all assignees agreeing to the change of inventorship, as required by 37 C.F.R. §1.324(b)(3). There are two assignees - - Stolle Machinery Company, LLC (assignee of McClung) and Rexam Beverage Can Company (assignee of Mssrs. Turner, Rajesh and Gogola).

This petition is also accompanied by the petition fee (\$ 130) required by 37 C.F.R. § 1.324(b)(4) and 37 C.F.R. §1.20(b).

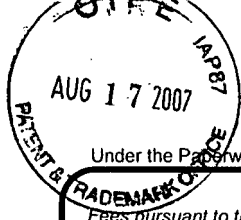
Prompt action on the petition is hereby requested.

Respectfully submitted,



David P. Maivald  
Attorney for Patentee  
Registration Number 42,831  
Telephone: 412-566-6088  
E-mail: [ipmail@eckertseamans.com](mailto:ipmail@eckertseamans.com)

Date: Aug. 15, 2007



PTO/SB/17 (02-07)

Approved for use through 02/28/2007. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number

Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# FEE TRANSMITTAL

## For FY 2007

☐ Applicant claims small entity status. See 37 CFR 1.27TOTAL AMOUNT OF PAYMENT (\$)  
130.00**Complete if Known**

Application Number	10/648,981
Filing Date	August 26, 2003
First Named Inventor	James A. McClung
Examiner Name	Dmitry Suhol
Art Unit	3725
Attorney Docket No.	291448-00152

**METHOD OF PAYMENT (check all that apply)**

☐ Check ☒ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_  
☒ Deposit Account Deposit Account Number: 02-02556 Deposit Account Name: Eckert Seamans Cherin & Mellott, LLC

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee  
☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180
<b>Total Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>
- 20 or HP =	x	=
HP = highest number of total claims paid for, if greater than 20.		
<b>Indep. Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>
- 3 or HP =	x	=
HP = highest number of independent claims paid for, if greater than 3.		

<b>Multiple Dependent Claims</b>	
Fee (\$)	Fee Paid (\$)

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/ 50 =	(round up to a whole number) x	=	

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Fee for Petition for Correction of Inventorship of US Patent \$130.00

**SUBMITTED BY**

Signature	<i>David P. Maivald</i>	Registration No. (Attorney/Agent)	42,831	Telephone	412-566-6088
Name (Print/Type)	David P. Maivald			Date	August 15, 2007

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



UNITED STATES PATENT AND TRADEMARK OFFICE

In the patent of: )  
)  
James A. McClung )  
)  
Patent No. 7,036,348 )  
Issued: May 2, 2006 )  
Serial No.: 10/648,981 )  
Filed: August 26, 2003 )  
For: Method and Apparatus for Forming )  
Container End Shells with Reinforcing Rib )

**STATEMENT OF ORIGINALLY NAMED INVENTOR IN SUPPORT OF  
PETITION FOR CORRECTION OF INVENTORSHIP OF US PATENT  
7,036,348 PURSUANT TO 35 U.S.C. § 256 AND 37 C.F.R. § 1.324**

Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

Dear Sir:

In support of the above-identified petition for correction of inventorship of US Patent 7,036,348, the undersigned originally named inventor, James A. McClung, hereby states that I have no disagreement in regard to the requested change of inventorship to include Timothy L. Turner, Gopalaswamy Rajesh, and Michael R. Gogola as inventors of US Patent 7,036,348.

Date: \_\_\_\_\_

7/24/07

James A. McClung



UNITED STATES PATENT AND TRADEMARK OFFICE

In the patent of: )  
)  
James A. McClung )  
)  
Patent No. 7,036,348 )  
Issued: May 2, 2006 )  
Serial No.: 10/648,981 )  
Filed: August 26, 2003 )  
For: Method and Apparatus for Forming )  
Container End Shells with Reinforcing Rib )

**STATEMENT OF NEWLY-ADDED INVENTORS IN SUPPORT  
PETITION FOR CORRECTION OF INVENTORSHIP OF US PATENT  
7,036,348 PURSUANT TO 35 U.S.C. § 256 AND 37 C.F.R. § 1.324**

Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

Dear Sir:

In support of the above-identified petition for correction of inventorship of US Patent 7,036,348, the undersigned hereby state the inventorship error of failing to include Timothy L. Turner, Gopalaswamy Rajesh, and Michael R. Gogola as inventors of US Patent 7,036,348 occurred without any deceptive intention on our part.

Date: 6/11/07

Timothy L. Turner  
Timothy L. Turner

Date: \_\_\_\_\_

\_\_\_\_\_  
Gopalaswamy Rajesh

Date: 6/28/07

Michael R. Gogola  
Michael R. Gogola



UNITED STATES PATENT AND TRADEMARK OFFICE

In the patent of: )  
James A. McClung )  
Patent No. 7,036,348 )  
Issued: May 2, 2006 )  
Serial No.: 10/648,981 )  
Filed: August 26, 2003 )  
For: Method and Apparatus for Forming )  
Container End Shells with Reinforcing Rib )

STATEMENT OF NEWLY-ADDED INVENTORS IN SUPPORT  
PETITION FOR CORRECTION OF INVENTORSHIP OF US PATENT  
7,036,348 PURSUANT TO 35 U.S.C. § 256 AND 37 C.F.R. § 1.324

Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

Dear Sir:

In support of the above-identified petition for correction of inventorship of US Patent 7,036,348, the undersigned hereby state the inventorship error of failing to include Timothy L. Turner, Gopalaswamy Rajesh, and Michael R. Gogola as inventors of US Patent 7,036,348 occurred without any deceptive intention on our part.

Date: \_\_\_\_\_

\_\_\_\_\_  
Timothy L. Turner

Date: 07/16/2007

G. Rajesh  
Gopalaswamy Rajesh

Date: \_\_\_\_\_

\_\_\_\_\_  
Michael R. Gogola



UNITED STATES PATENT AND TRADEMARK OFFICE

In the patent of: )  
James A. McClung )  
Patent No. 7,036,348 )  
Issued: May 2, 2006 )  
Serial No.: 10/648,981 )  
Filed: August 26, 2003 )  
For: Method and Apparatus for Forming )  
Container End Shells with Reinforcing Rib )

**AGREEMENT OF ASSIGNEES IN SUPPORT OF  
PETITION FOR CORRECTION OF INVENTORSHIP OF US PATENT  
7,036,348 PURSUANT TO 35 U.S.C. § 256 AND 37 C.F.R. § 1.324**

Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

Dear Sir:

In support of the above-identified Petition for Correction of Inventorship of U.S. Patent 7,036,348, the respective assignees Stolle Machinery Company, LLC (assignee of McClung) and Rexam Beverage Can Company (assignee of Timothy L. Turner, Gopalaswamy Rajesh and Michael R. Gogola) hereby state that they agree to the change of inventorship of the '348 patent to add Turner, Rajesh and Gogola as inventors.

Documentary evidence of the chain of title from the inventor McClung to Stolle Machinery Company, LLC is recorded at the Patent and Trademark Office records at reel/frame 014441/0796 recorded August 26, 2003 and at reel/frame 015341/0148 recorded November 8, 2004.

Documentary evidence of the chain of title from the inventors Turner, Rajesh and Gogola to Rexam Beverage Can Company is attached herewith. The assignee Rexam



Beverage Can Company further affirms that the documentary evidence of the chain of title from the inventors to the assignee was or concurrently is being submitted to the Patent and Trademark Office for recording pursuant to 37 C.F.R. § 3.11.

**Stolle Machinery Company, LLC**

Date: JULY 25, 2007

By: David W. Smith

Title: CEO - STOLLE MACHINERY Co.

**Rexam Beverage Can Company**

Date: JUNE 4, 2007

By: M R Peterson

Title: VP + CFO